



THE CITY OF NEW YORK
LAW DEPARTMENT

100 CHURCH STREET
NEW YORK, NY 10007

GEORGIA M. PESTANA
Acting Corporation Counsel

MARK D. ZUCKERMAN
Senior Counsel
E-mail: mzuckerm@law.nyc.gov
Phone: (212) 356-3519
Fax: (212) 788-9776

August 2, 2021

VIA ECF

The Honorable Ann M. Donnelly
United States District Judge
Eastern District of New York
225 Cadman Plaza East
Brooklyn, NY 11201

Re: Felipe Rodriguez v. City of New York, et. al., 21 Civ. 1649 (AMD)(RLM)

Your Honor:

I am a Senior Counsel in the office of Georgia M. Pestana, Acting Corporation Counsel of the City of New York, representing defendants City of New York, Sgt. George Zaroogian (Ret.) Det. John Beisel (Ret.), Det. John Califano (Ret.), Det. Jerry Fennel (Ret.) and John Wilde (Ret.) in the above referenced matter. We write with the consent of all counsel to respectfully request that the Court's pre-motion conference requirement be waived as to defendants' anticipated motions to dismiss plaintiff's amended complaint, which was filed on July 26, 2021, in light of the pre-motion conference held on July 12, 2021, and that the Court endorse the parties' proposed briefing schedule as follows: Motions, September 7, 2021; Responses, September 28, 2021; Replies, October 12, 2021. The Court indicated at the July 12, 2021 pre-motion conference that it would be setting a briefing schedule following plaintiff's decision whether or not to amend the complaint, and the parties at their Rule 26(f) conference of today agreed upon the foregoing briefing schedule.

Thank you for your consideration herein.

Respectfully submitted,

/s/ Mark D. Zuckerman
Mark D. Zuckerman
Senior Counsel

cc: All Counsel (via ECF)